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March 29, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

RETO NAEF

APPLICATION NO: 09/883,572

FILED: JUNE 18, 2001

FOR: CGMP PDE 5 INHIBITORS FOR INHALATION IN THE TREATMENT
OF SEXUAL DYSFUNCTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated October 3, 2003 finally rejecting claims 21, 25-33.

- Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$330 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.
- The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due; however, if a fee is due, please charge Deposit Account as described above..

Enclosed is a Petition for Extension of Time.

Respectfully submitted,

Novartis

Corporate Intellectual Property
One Health Plaza, Building 430
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(862) 778-7809
Date: March 29, 2004

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